IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO : 1144 of 1996

Between:

1 M/s Komatherapatik Drugs, a proprietary concern rep. by its proprietor Sri K. Satyanarayana, HYDERABAD.
2 The Pharma Enterprises, a proprietary concern, rep. by its manager

Sri K. Chandrasekhar, HYDERABAD.

..... PETITIONERS

AND

1 Govt. of A.P. rep. by its Principal Secretary, Animal Husbandary & Fisheries Department, Secretariat, HYDERABAD.
2 Director, Animal Husbandary Department, Govt. of A.P.,
SHANTHINAGAR HYDERABAD

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ of mandamus or any other appropriate writ, declaring that the action of the respondents contained in Memo.Roc.No.21274/H2/94 dated 17-1-196 purporting to return the veterinary medicines supplied by the petitioners during 1994-95 is arbitrary and illegal and direct the respondents to pay all that value of the veterinary medicines together with interest as per the terms and conditions of the invoices of the petitioners bearing Nos.PFS 1/9-94/95 dated 30-9-1994 and PFS 1/10-94/95 dated 15-10-1994.

Counsel for the Petitioner: MR.V.VENKATARAMANA (not present)

Counsel for the Respondents.: GP FOR ANIMAL HUSBANDARY

The Court made the following :

ORDER:

The petitioners by way of this writ petition seek to declare the action of the respondents contained in Memo dt. 17-1-96 purporting to return the veterinary medicines supplied by the petitioners during 1994-95 as illegal and arbitrary and consequently to direct the respondents to pay all that value of the veterinary medicines together with interest as per the terms and conditions of the invoices of the petitioners dt. 30-9-94 & 15-10-1994.

None appears for the petitioners. The Government Pleader appearing on behalf of the respondents submitted that the writ petition has become infructuous since the amounts were already paid to the petitioners and nothing survives in the writ petition for adjudication.

Recording the above submission, the writ petition is dismissed as having become infructuous. No costs.

_____

N.V. RAMANA, J

Dt. 3-11-04

Kvrk

To

1 The Principal Secretary, Animal Husbandary & Fisheries Department, Govt. of A.P., Secretariat, HYDERABAD.
2 The Director, Animal Husbandary Department, Govt. of A.P., SHANTHINAGAR, HYDERABAD

3. Two CCs to GP for Animal Husbandary Dept., High Court of A.P., Hyderabad (OUT).

4. Two CD copies.

HON'BLE SRI JUSTICE N.V. RAMANA

–

–

–

–

–

–

–

–

–

–

–

–

W.P.NO. 1144 0F 1996

3rd NOVEMBER 2004